

Hearing Date: October 16, 2023, at 2:00 p.m. (prevailing Eastern Time)

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**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:)	
)	Chapter 11
)	
CELSIUS NETWORK LLC, <i>et al.</i> , ¹)	Case No. 22-10964 (MG)
)	
Debtors.)	(Jointly Administered)
)	

**DEBTORS' EXHIBITS FOR CROSS EXAMINATION
FOR MATTERS SET FOR HEARING ON OCTOBER 16, 2023**

¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number, are: Celsius Network LLC (2148); Celsius KeyFi LLC (4414); Celsius Lending LLC (8417); Celsius Mining LLC (1387); Celsius Network Inc. (1219); Celsius Network Limited (8554); Celsius Networks Lending LLC (3390); Celsius US Holding LLC (7956); GK8 Ltd. (1209); GK8 UK Limited (0893); and GK8 USA LLC (9450). The location of Debtor Celsius Network LLC's principal place of business and the Debtors' service address in these chapter 11 cases is 50 Harrison Street, Suite 209F, Hoboken, New Jersey 07030.

The above-captioned debtors and debtors in possession (collectively, the “Debtors”) file this notice of cross-examination materials that it may use for the confirmation hearing on October 16, 2023, at 2:00 p.m. (prevailing Eastern Time). The Debtors endeavored to include the exhibits that they will use with the witnesses that they intend to call on October 16, 2023 based on the Court’s Order entered on Dkt. No. 3740. The Debtors reserve the right to amend this cross-examination materials list after reviewing any responsive pleadings or to address evidence introduced via exhibit, testimony, or other statement. The Debtors will make every effort to timely supplement this notice as additional cross examination materials become necessary.

Cross-Examination Materials

The Debtors submit the following list of materials that they may use during cross examination, including any exhibits thereto, and documents or docket entries referenced therein. The Debtors reserve the right to identify additional cross-examination materials, including but not limited to rebuttal and impeachment exhibits, prior to the conclusion of the hearing.

Exhibits Previously Admitted by the Debtors, per *Joint Admitted Exhibit List and List of Exhibits Where Judicial Notice Is Sought for the Debtors’ and the Official Committee of Unsecured Creditors’ Case-In-Chief in Support of Confirmation*, Dkt. No. 3737

Exhibit No.	Document Description
Celsius Ex. 38	Celsius Terms of Use Compilation (Dkt. No. 393, p. 14-1114)
Celsius Ex. 69	Non-Prosecution Agreement (Dkt. No. 3293, p. 6-10)
UCC-228	Declaration of Max Galka in Support of Confirmation of the Joint Chapter 11 Plan (Dkt. No. 3580) (previously admitted by the Official Committee of Unsecured Creditors as UCC-228) (including any exhibits, documents, and/or docket entries referenced therein)

Documents Not Previously Admitted by the Debtors²

Celsius Ex.	Document Description
72	Final Report of Shoba Pillay, Examiner (Dkt. No. 1956) (including any exhibits, documents, and/or docket entries referenced therein)
73	Third Amended Disclosure Statement filed by Joshua Sussberg on behalf of Celsius Network LLC, pg. 28, Dkt. No. 3320
74	Limited Objection to Debtors' Plan of Johan Bronge (Dkt. No. 3511) (including any exhibits, documents, and/or docket entries referenced therein)
75	Objection to Plan Confirmation by David Schneider (Dkt. No. 3547) (including any exhibits, documents, and/or docket entries referenced therein)
76	Response to Debtors' Memorandum of Law in Support of Confirmation by Johan Bronge (Dkt. No. 3641) (including any exhibits, documents, and/or docket entries referenced therein)
77	Supplemental Declaration of Maxwell Galka on Behalf of the Official Committee of Unsecured Creditors in Support of Confirmation of the Joint Chapter 11 Plan of Reorganization of Celsius Network, LLC and Its Debtor Affiliates (Dkt. No. 3646) (including any exhibits, documents, and/or docket entries referenced therein)
78	Correction of Motion for Repayment of Loans and Return of Collateral by Johan Bronge (Dkt. No. 3649) (including any exhibits, documents, and/or docket entries referenced therein)
79	R. Phillips Amended Potential Exhibits for Cross-examination of Maj. Mark Robinson, Dkt. No. 3706
80	Motion to Allow Expert Report of Hussein Faraj (Dkt. No. 3752) (including any exhibits, documents, and/or docket entries referenced therein)
81	Declaration of Richard Phillips in Support of His Limited Objection and Reservation of Rights to Debtors' Chapter 11 Plan, Dkt. No. 3758
82	Statement Under Oath of Otis Davis filed by Otis Davis (Dkt. No. 3769)
83	Exhibit List Filed by Johan Bronge (Dkt. No. 3770) (including any exhibits, documents, and/or docket entries referenced therein)
84	Exhibits in Support of Schneider's Objection to Plan Confirmation by David Schneider (Dkt. 3780) (including any exhibits, documents, and/or docket entries referenced therein)
85	Email between Otis Davis and Alex Mashinsky dated May 26, 2022 (CELSIUS_FTC_00063855)
86	Email between Otis Davis and Ronald Loh dated May 12, 2022 to May 18, 2022 (CELSIUS_FTC_00065430)
87	Email between Otis Davis and Alex Mashinsky dated January 26, 2022

² For the avoidance of doubt, the Debtors offer the below documents only to provide notice of materials the Debtors may use during cross examination. Identifying these materials should not be construed as a request to admit the materials into evidence.

Celsius Ex.	Document Description
	(CELSIUSNETWORK_00581341)
88	Email between Otis Davis and Alex Mashinsky dated July 20, 2020 (CELSIUSNETWORK_01083727)
89	Email between Otis Davis and Alex Mashinsky dated November 17, 2020 (CELSIUSNETWORK_01117970)
90	Email between Otis Davis and Alex Mashinsky dated December 6, 2021 (CELSIUSNETWORK_01408180)
91	April 27, 2020 Post on X from @otisa502
92	February 1, 2022 Post on X from @otisa502
93	February 14, 2023 Post on X from @otisa502
94	February 21, 2023 Post on X from @otisa502
95	January 17, 2021 Post on X from @otisa502
96	January 6, 2020 Post on X from @otisa502
97	June 19, 2022 Post on X from @otisa502
98	November 3, 2021 Post on X from @otisa502
99	October 24, 2022 Post on X from @otisa502
100	September 23, 2022 Post Thread on X from @otisa502
101	September 26, 2022 Post on X from @otisa502
102	Messages between Otis Davis and Alex Mashinsky dated June 24 through July 17, 2022
103	Account Page on X for @otisa502
104	iMessages between Otis Davis and Zach Wildes dated June 12, 2022 to July 13, 2022
105	June 16, 2020 Post on X from @otisa502
106	June 15, 2022 Post Thread on X from @otisa502
107	June 29, 2022 Post Thread on X from @otisa502
108	June 25, 2022 Post Thread on X from @otisa502
109	Celsius Exhibit 2 to Deposition of Luay Mohsen as Provided by Luay Mohsen
110	Email exchange between H. Faraj and S. Arthrell dated August 9, 2023 to October 11, 2023
111	October 5, 2023 Post Thread on X Between @otisa502, @CarolAn64246005, @nugenmediahub
112	October 8, 2023 Post on X from @nugenmediahub
113	October 9, 2023 Post on X from @nugenmediahub
114	October 9, 2023 Post on X from @nugenmediahub
115	Hussein Faraj LinkedIn Profile (old)
116	Hussein Faraj LinkedIn Profile (new)
117	April 22, 2023 Post from @CryptoYOLO7
118	May 25, 2023 Post from @CryptoYOLO7

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Washington, D.C.
Dated: October 15, 2023

/s/ T.J. McCarrick

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